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Paper No. 22

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Technology Center 2100

In re Application of:  
Stephen M. REUNING  
Application No. 09/897,826  
Filed: July 03, 2001  
For: CANDIDATE CHASER

DECISION ON PETITION  
UNDER 37 C.F.R. § 1.8 TO  
ACCEPT PAPERS AS TIMELY  
FILED AND UNDER 37 C.F.R. §  
1.181 TO WITHDRAW HOLDING  
OF ABANDONMENT

This is a decision on the petition filed February 03, 2005 and June 01, 2005 under 37 C.F.R. § 1.181 requesting the Withdrawal of the Holding of Abandonment of the above-identified application. The petition is treated as a petition under 37 C.F.R. § 1.8(b) to accept papers as timely filed and as a petition under 37 C.F.R. § 1.181 requesting the Withdrawal of the Holding of Abandonment. (See MPEP § 711.03(c)).

The petition is **GRANTED**.

This application was held abandoned for failure to file a request for rehearing within two (2) months of the date of the Board's decision mailed on September 30, 2004 or seeking court review of the Board's decision. A Notice of Abandonment was mailed January 25, 2005.

Petitioner's submissions of February 03, 2005 and June 01, 2005 meet the applicable criteria. Petitioner asserted that the Request for Rehearing was filed in a timely manner on November 23, 2004. Copies of the originally submitted Request for Rehearing and the Certificate of Transmission under 37 CFR § 1.8 signed by Mark Pohl dated November 23, 2004 have been provided. A personal statement of Mark Pohl is submitted on July 27, 2005.

For the above stated reasons, the petition is **GRANTED**. The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The application file is being forwarded to the Board of Patent Appeals and Interferences to consider the Request for Rehearing under 37 CFR § 1.197(b).

Any inquiry concerning this decision should be directed to Vincent N. Trans whose telephone number is (571) 272-3613.

Vincent N. Trans, Special Program Examiner  
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